

(3) in section 226 (6 U.S.C. 1524)—

(A) in subsection (a)—

(i) in paragraph (1), by striking “section 2213” and inserting “section 2200”;

(ii) in paragraph (2), by striking “section 102” and inserting “section 2200 of the Homeland Security Act of 2002”;

(iii) in paragraph (4), by striking “section 2210(b)(1)” and inserting “section 2210(a)(1)”; and

(iv) in paragraph (5), by striking “section 2213(b)” and inserting “section 2213(a)”; and

(B) in subsection (c)(1)(A)(vi), by striking “section 2213(c)(5)” and inserting “section 2213(b)(5)”; and

(4) in section 227(b) (6 U.S.C. 1525(b)), by striking “section 2213(d)(2)” and inserting “section 2213(c)(2)”.

(b) PUBLIC HEALTH SERVICE ACT.—Section 2811(b)(4)(D) of the Public Health Service Act (42 U.S.C. 300hh-10(b)(4)(D)) is amended by striking “section 228(c) of the Homeland Security Act of 2002 (6 U.S.C. 149(c))” and inserting “section 2210(b) of the Homeland Security Act of 2002 (6 U.S.C. 660(b))”.

(c) WILLIAM M. (MAC) THORNBERRY NATIONAL DEFENSE AUTHORIZATION ACT OF FISCAL YEAR 2021.—Section 9002 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (6 U.S.C. 652a) is amended—

(1) in subsection (a)—

(A) in paragraph (5), by striking “section 2222(5) of the Homeland Security Act of 2002 (6 U.S.C. 671(5))” and inserting “section 2200 of the Homeland Security Act of 2002”; and

(B) by amending paragraph (7) to read as follows:

“(7) SECTOR RISK MANAGEMENT AGENCY.—The term ‘Sector Risk Management Agency’ has the meaning given the term in section 2200 of the Homeland Security Act of 2002.”;

(2) in subsection (c)(3)(B), by striking “section 2201(5)” and inserting “section 2200”; and

(3) in subsection (d)—

(A) by striking “section 2215” and inserting “section 2218”; and

(B) by striking “, as added by this section”.

(d) NATIONAL SECURITY ACT OF 1947.—Section 113B of the National Security Act of 1947 (50 U.S.C. 3049a(b)(4)) is amended by striking “section 226 of the Homeland Security Act of 2002 (6 U.S.C. 147)” and inserting “section 2208 of the Homeland Security Act of 2002 (6 U.S.C. 658)”.

(e) IOT CYBERSECURITY IMPROVEMENT ACT OF 2020.—Section 5(b)(3) of the IoT Cybersecurity Improvement Act of 2020 (15 U.S.C. 278g-3c) is amended by striking “section 2209(m) of the Homeland Security Act of 2002 (6 U.S.C. 659(m))” and inserting “section 2209(l) of the Homeland Security Act of 2002 (6 U.S.C. 659(l))”.

(f) SMALL BUSINESS ACT.—Section 21(a)(8)(B) of the Small Business Act (15 U.S.C. 648(a)(8)(B)) is amended by striking “section 2209(a)” and inserting “section 2200”.

(g) TITLE 46.—Section 70101(2) of title 46, United States Code, is amended by striking “section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148)” and inserting “section 2200 of the Homeland Security Act of 2002”.

TITLE LXIII—FEDERAL CYBERSECURITY REQUIREMENTS

SEC. 6301. EXEMPTION FROM FEDERAL CYBERSECURITY REQUIREMENTS.

(a) IN GENERAL.—Section 225(b)(2) of the Federal Cybersecurity Enhancement Act of 2015 (6 U.S.C. 1523(b)(2)) is amended to read as follows:

“(2) EXCEPTION.—

“(A) IN GENERAL.—A particular requirement under paragraph (1) shall not apply to an agency information system of an agency if—

“(i) with respect to the agency information system, the head of the agency submits to the Director an application for an exemption from the particular requirement, in which the head of the agency personally certifies to the Director with particularity that—

“(I) operational requirements articulated in the certification and related to the agency information system would make it excessively burdensome to implement the particular requirement;

“(II) the particular requirement is not necessary to secure the agency information system or agency information stored on or transiting the agency information system; and

“(III) the agency has taken all necessary steps to secure the agency information system and agency information stored on or transiting the agency information system;

“(ii) the head of the agency or the designee of the head of the agency has submitted the certification described in clause (i) to the appropriate congressional committees and any other congressional committee with jurisdiction over the agency; and

“(iii) the Director grants the exemption from the particular requirement.

“(B) DURATION OF EXEMPTION.—

“(i) IN GENERAL.—An exemption granted under subparagraph (A) shall expire on the date that is 1 year after the date on which the Director grants the exemption.

“(ii) RENEWAL.—Upon the expiration of an exemption granted to an agency under subparagraph (A), the head of the agency may apply for an additional exemption.”.

(b) REPORT ON EXEMPTIONS.—Section 3554(c)(1) of title 44, United States Code, as amended by section 5121 of this Act, is further amended—

(1) in subparagraph (C), by striking “and” at the end;

(2) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(E) with respect to any exemptions the agency is granted by the Director of the Office of Management and Budget under section 225(b)(2) of the Federal Cybersecurity Enhancement Act of 2015 (6 U.S.C. 1523(b)(2)) that is effective on the date of submission of the report, includes—

“(i) an identification of the particular requirements from which any agency information system (as defined in section 2210 of the Homeland Security Act of 2002 (6 U.S.C. 660)) is exempted; and

“(ii) for each requirement identified under subclause (i)—

“(I) an identification of the agency information system described in subclause (i) exempted from the requirement; and

“(II) an estimate of the date on which the agency will be able to comply with the requirement.”.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date that is 1 year after the date of enactment of this Act.

SA 4800. Ms. KLOBUCHAR (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1004. AVAILABILITY OF TRAVEL PROMOTION FUND FOR BRAND USA.

(a) SHORT TITLE.—This section may be cited as the “Restoring Brand USA Act”.

(b) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Treasury, subject to subsections (c) and (d), and notwithstanding any other provision of law, shall make available, from unobligated balances remaining available from fees collected before October 1, 2020, and credited to Travel Promotion Fund established under subsection (d) of the Travel Promotion Act of 2009 (22 U.S.C. 2131(d)), \$250,000,000 for the Corporation for Travel Promotion (commonly known as “Brand USA”).

(c) INAPPLICABILITY OF CERTAIN REQUIREMENTS AND LIMITATIONS.—The limitations in subsection (d)(2)(B) of the Travel Promotion Act of 2009 shall not apply to amounts made available under subsection (b), and the requirements in subsection (d)(3) of such Act shall not apply to more than \$50,000,000 of the amounts so available.

(d) USE OF FUNDS.—Brand USA may only use funds provided under subsection (b) to promote travel from countries whose citizens and nationals are permitted to enter the United States.

(e) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, Brand USA shall submit to Congress a plan for obligating and expending the amounts described in subsection (b).

SA 4801. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ SBIR AND STTR PILOT PROGRAM FOR UNDERPERFORMING STATES.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

“(vv) DEPARTMENT OF DEFENSE PILOT PROGRAM FOR UNDERPERFORMING STATES.—

“(1) DEFINITIONS.—In this section:

“(A) DEPARTMENT.—The term ‘Department’ means the Department of Defense.

“(B) UNDERPERFORMING STATE.—The term ‘underperforming State’ means any State participating in the SBIR or STTR program that is in the bottom 68 percent of all States historically receiving SBIR or STTR program funding.

“(2) ESTABLISHMENT.—The Secretary of Defense shall establish a pilot program to provide small business concerns located in underperforming States an increased level of assistance under the SBIR and STTR programs of the Department.

“(3) ACTIVITIES.—Under the pilot program, the Department, and any component agency thereof, may—

“(A) in any case in which the Department seeks to make a Phase II SBIR or STTR award to a small business concern based on the results of a Phase I award made to the small business concern by another agency, establish a streamlined transfer and fast track approval process for that Phase II award;

“(B) provide an additional Phase II SBIR or STTR award to a small business concern

located in an underperforming State that received a Phase I SBIR or STTR award, subject to an increase in the allocation percentage;

“(C) establish a program to make Phase 1.5 SBIR or STTR awards to small business concerns located in underperforming States in order to provide funding for 12 to 24 months to continue the development of technology; and

“(D) carry out subparagraph (C) along with other mentorship programs.

“(4) DURATION.—The pilot program established under this subsection shall terminate 5 years after the date on which the pilot program is established.

“(5) REPORT.—The Department shall submit to Congress an annual report on the status of the pilot program established under this subsection, including the improvement in funding under the SBIR and STTR programs of the Department provided to small business concerns located in underperforming States.”.

SA 4802. Mr. OSSOFF (for himself, Mr. TILLIS, Mr. KING, Ms. CORTEZ MASTO, Mr. ROUNDS, Mr. SCOTT of South Carolina, and Mr. KELLY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ DR. DAVID SATCHER CYBERSECURITY EDUCATION GRANT PROGRAM.

(a) **SHORT TITLE.**—This section may be cited as the “Cybersecurity Opportunity Act”.

(b) **DEFINITIONS.**—In this section:

(1) **DIRECTOR.**—The term “Director” means the Director of the National Institute of Standards and Technology.

(2) **ENROLLMENT OF NEEDY STUDENTS.**—The term “enrollment of needy students” has the meaning given the term in section 312(d) of the Higher Education Act of 1965 (20 U.S.C. 1058(d)).

(3) **HISTORICALLY BLACK COLLEGE OR UNIVERSITY.**—The term “historically Black college or university” has the meaning given the term “part B institution” as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

(4) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(5) **MINORITY-SERVING INSTITUTION.**—The term “minority-serving institution” means an institution listed in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(c) **AUTHORIZATION OF GRANTS.**—

(1) **IN GENERAL.**—Subject to the availability of appropriations, the Director shall carry out the Dr. David Satcher Cybersecurity Education Grant Program by—

(A) awarding grants to assist institutions of higher education that have an enrollment of needy students, historically Black colleges and universities, and minority-serving institutions, to establish or expand cybersecurity programs, to build and upgrade insti-

tutional capacity to better support new or existing cybersecurity programs, including cybersecurity partnerships with public and private entities, and to support such institutions on the path to producing qualified entrants in the cybersecurity workforce or becoming a National Center of Academic Excellence in Cybersecurity; and

(B) awarding grants to build capacity at institutions of higher education that have an enrollment of needy students, historically Black colleges and universities, and minority-serving institutions, to expand cybersecurity education opportunities, cybersecurity programs, cybersecurity research, and cybersecurity partnerships with public and private entities.

(2) **RESERVATION.**—The Director shall award not less than 50 percent of the amount available for grants under this section to historically Black colleges and universities and minority-serving institutions.

(3) **COORDINATION.**—The Director shall carry out this section in coordination with appropriate Federal agencies, including the Department of Homeland Security.

(4) **SUNSET.**—The Director’s authority to award grants under paragraph (1) shall terminate on the date that is 5 years after the date the Director first awards a grant under paragraph (1).

(d) **APPLICATIONS.**—An eligible institution seeking a grant under subsection (a) shall submit an application to the Director at such time, in such manner, and containing such information as the Director may reasonably require, including a statement of how the institution will use the funds awarded through the grant to expand cybersecurity education opportunities at the eligible institution.

(e) **ACTIVITIES.**—An eligible institution that receives a grant under this section may use the funds awarded through such grant for increasing research, education, technical, partnership, and innovation capacity, including for—

(1) building and upgrading institutional capacity to better support new or existing cybersecurity programs, including cybersecurity partnerships with public and private entities;

(2) building and upgrading institutional capacity to provide hands-on research and training experiences for undergraduate and graduate students; and

(3) outreach and recruitment to ensure students are aware of such new or existing cybersecurity programs, including cybersecurity partnerships with public and private entities.

(f) **REPORTING REQUIREMENTS.**—Not later than—

(1) 1 year after the effective date of this section, as provided in subsection (h), and annually thereafter until the Director submits the report under paragraph (2), the Director shall prepare and submit to Congress a report on the status and progress of implementation of the grant program under this section, including on the number and nature of institutions participating, the number and nature of students served by institutions receiving grants, the level of funding provided to grant recipients, the types of activities being funded by the grants program, and plans for future implementation and development; and

(2) 5 years after the effective date of this section, as provided in subsection (h), the Director shall prepare and submit to Congress a report on the status of cybersecurity education programming and capacity-building at institutions receiving grants under this section, including changes in the scale and scope of these programs, associated facilities, or in accreditation status, and on the educational and employment outcomes of

students participating in cybersecurity programs that have received support under this section.

(g) **PERFORMANCE METRICS.**—The Director shall establish performance metrics for grants awarded under this section.

(h) **EFFECTIVE DATE.**—This section shall take effect 1 year after the date of enactment of this Act.

SA 4803. Ms. DUCKWORTH (for herself, Mr. KELLY, Ms. HIRONO, Ms. ROSEN, Mr. BENNET, Mr. HEINRICH, Mr. MORAN, Mr. YOUNG, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. KING, Mrs. SHAHEEN, Ms. KLOBUCHAR, Mr. DURBIN, Mr. PETERS, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1216. AFGHANISTAN WAR COMMISSION ACT OF 2021.

(a) **SHORT TITLE.**—This section may be cited as the “Afghanistan War Commission Act of 2021”.

(b) **DEFINITIONS.**—In this section:

(1) **APPLICABLE PERIOD.**—The term “applicable period” means the period beginning June 1, 2001, and ending August 30, 2021.

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Select Committee on Intelligence of the Senate;

(D) the Committee on Appropriations of the Senate;

(E) the Committee on Armed Services of the House of Representatives;

(F) the Committee on Foreign Affairs of the House of Representatives;

(G) the Permanent Select Committee on Intelligence of the House of Representatives; and

(H) the Committee on Appropriations of the House of Representatives.

(3) **INTELLIGENCE COMMUNITY.**—The term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(c) **ESTABLISHMENT OF COMMISSION.**—

(1) **ESTABLISHMENT.**—There is established in the legislative branch an independent commission to be known as the Afghanistan War Commission (in this section referred to as the “Commission”).

(2) **MEMBERSHIP.**—

(A) **COMPOSITION.**—The Commission shall be composed of 16 members of whom—

(i) 1 shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(ii) 1 shall be appointed by the ranking member of the Committee on Armed Services of the Senate;

(iii) 1 shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives;

(iv) 1 shall be appointed by the ranking member of the Committee on Armed Services of the House of Representatives;